

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Stephany McCarthy,

Plaintiff,

v.

Equifax Information Services, LLC;
Experian Information Solutions, Inc.;
TransUnion LLC a.k.a. Trans Union LLC,

Defendants.

Case No.: 24-CV-01580

**DEFENDANT EXPERIAN
INFORMATION SOLUTIONS,
INC.’S NOTICE OF AND
PETITION FOR REMOVAL**

Pursuant to 28 U.S.C. § 1441, Defendant Experian Information Solutions, Inc. (“Experian”) hereby files a Notice of Removal (“Notice”) for the above-captioned action to this Court.

In further support of this Notice, Experian states:

1. Experian is a named Defendant in the state action in this matter (the “State Action”) and was served with the complaint on April 12, 2024.
2. This Notice is being filed with this Court within thirty (30) days after Experian received a copy of Plaintiff’s initial pleadings setting forth the claims for relief upon which Plaintiff’s action is based.
3. Pursuant to 28 U.S.C. § 1446(a), attached hereto is a true and correct copy of all substantive records and proceedings from the State Action.
4. Plaintiff’s Complaint alleges violations of the federal Fair Credit Reporting Act, 15 U.S.C. § 1681, *et seq.*, against Experian (*see* Compl. Count I).

5. Experian is a corporation which, for monetary fees, regularly engages in whole or in part in the practice of assembling consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties. Experian uses means or facilities of interstate commerce for the purpose of preparing or furnishing consumer reports, and therefore is a “consumer reporting agency” within the meaning of 15 U.S.C. § 1681a(f).

6. As Plaintiff’s Complaint plainly evidences, the claim of relief alleged in the State Action against Experian arises under the federal Fair Credit Reporting Act, 15 U.S.C. §§ 1681-1681u. (*See* Compl. Count I.) Thus, this Court has original subject matter jurisdiction over the above-captioned action pursuant to 28 U.S.C. § 1331 and 15 U.S.C. § 1681p. To the extent any other claims are asserted in this action under federal or state law, this Court has supplemental jurisdiction over those claims pursuant to 28 U.S.C. §§ 1367 and 1441(c).

7. The above-captioned action may properly be removed to this United States District Court pursuant to 28 U.S.C. § 1441(a) and (c).

8. Counsel for Experian has contacted counsel for Trans Union LLC and Equifax Information Services, LLC through their authorized representatives, and they have consented to this removal as evidenced by the consents attached hereto signed by in-house counsel for Trans Union LLC and counsel for Equifax Information Services, LLC.

9. The United States District Court for the District of Minnesota is the federal district encompassing the Fourth Judicial District of Minnesota (Hennepin County),

where this suit was originally filed. Venue therefore is proper in this District under 28 U.S.C. § 1441(a).

10. Experian does not waive any defense to the Complaint, including but not limited to lack of service, improper service, or lack of personal jurisdiction.

11. Pursuant to 28 U.S.C. § 1446(d), Experian shall file a copy of this Notice of Removal with the Clerk of the Fourth Judicial District of Minnesota (Hennepin County) and shall serve Plaintiff with this Notice promptly after its filing.

WHEREFORE, Experian respectfully requests that the State Action be removed to the United States District Court for the District of Minnesota pursuant to 28 U.S.C. §1441 *et seq.*, and that this District Court enter such other and further orders as may be necessary to accomplish the requested removal.

Dated: May 1, 2024

s/ Gregory J. Myers

Gregory J. Myers, MN #287398

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